

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re: Application of:
Jose A. Soto

Date: February 20, 2006 FEB 20 2006

Serial No: 10/641,704

Art Unit: 1616

Filed: August 18, 2003

Examiner: Mina Haghighatian

Atty. Dkt. No. 230109

Title: A SOLUTION COMPRISING SEA WATER AS EXPECTORANT
AND VIRUCIDAL FOR THE TREATMENT OF RESPIRATORY
DISEASES AND METHOD TO USE AND DEVELOP

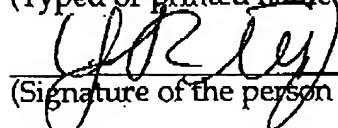
AMENDMENT

CERTIFICATION OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that this paper is being facsimile transmitted to the U.S. Patent & Trademark Office on February 20, 2006. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001), and may jeopardize the validity of this application, document, registration or patent resulting therefrom.

Yvette Ruiz, Patent Department

(Typed or printed name of the person signing the certificate)


(Signature of the person signing the certificate)

FROM: SANCHELIMA & ASSOCIATES, P.A.
235 SW Le Jeune Road, Miami, Florida 33134
Ph:(305)447-1617 Fax:(305)445-8484

TO: Patent and Trademark Office
Attn. Examiner: Mina Haghighatian / Art Unit: 1616
Fax No. 571-273-8300

Papers included: Amendment.

1 Hon. Commissioner of Patents
2 Mail Stop: NON-FEE AMENDMENT
3 P.O. Box 1450
4 Alexandria, VA 22313-1450
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6 Sir:

7 In response to the recent Office action, please amend the above
8 referenced application as follows.
9

10 INTRODUCTORY COMMENTS

11

12 The Examiner has objected claims 1 through 14 under 35 U.S.C. 112.
13 Applicant has adopted the Examiner's suggestions to overcome the
14 informalities of the claims.
15

16 Claims 1-2; 8-12 and 14 are rejected under 35 U.S.C. 102(e) as being
17 anticipated by Yvin. And claims 1; 2 and 14 have been rejected also by
18 Hasan and Vuong. Applicant has amended claim 1 to incorporate the
19 limitations of claims 2 and 3, amended claim 8 to incorporate the
20 limitations of claim 9; 10; 11; 12 and 13. With these amendments, the
21 rejection is moot with respect to amended claims 1 and 8, as well as new
22 claim 15.
23

24 The remaining claims are rejected under 35 U.S.C. 103 as being
25 obvious in view of Yvin. Applicant respectfully disagrees and will explain
26 his position below.
27

28 Finally, the double patenting rejection is moot since application serial
29 No. 10/431,721 was abandoned.
30